

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

RYAN PFLIPSEN,)	
)	
Plaintiff,)	
)	CIVIL ACTION
vs.)	
)	FILE No. 5:20-cv-1326-FB
YAKKALA PROPERTIES, LLC, d/b/a)	
CENTER WITH GAS STATION,)	
)	
Defendant.)	

**JOINT STIPULATION TO APPROVE CONSENT DECREE AND TO DISMISS
DEFENDANTS WITH PREJUDICE**

Plaintiff, Ryan Pflipsen (“Plaintiff”) and Defendant, Yakkala Properties, LLC, d/b/a Center with Gas Station (“Defendant”) (collectively, the “Parties”), hereby file this Joint Stipulation seeking the Court’s Approval of the parties’ Consent Decree and to Dismiss Defendant, Yakkala Properties, LLC, d/b/a Center with Gas Station, with Prejudice:

1. Plaintiff filed the instant cause of action alleging that the Property operated and/or owned by Defendants violated Title III of the Americans with Disabilities Act, 42 U.S.C. § 12181 *et seq.*

2. The matters raised by Plaintiff’s Complaint have been resolved in accordance with the Consent Decree (“Settlement”) attached hereto as Exhibit “1”.

3. In accordance therewith, the Parties request that the Court review, approve and ratify the Consent Decree. Additionally, the Parties request the Court retain jurisdiction to enforce the terms of the Settlement for a period of no longer than twelve (12) months. This Settlement is conditioned upon the Court’s retaining jurisdiction to enforce said Settlement.

4. As part of the Settlement reached between the Parties, Plaintiff has agreed to dismiss Defendant, Yakkala Properties, LLC, d/b/a Center with Gas Station, with prejudice. Accordingly, the Parties request, upon the Court's review, approval and ratification of the Settlement, Defendant, Yakkala Properties, LLC, d/b/a Center with Gas Station, be dismissed with prejudice.

5. Except as otherwise stated in the Settlement, each party to bear their own fees and costs.

WHEREFORE, the Parties respectfully request that this Honorable Court enter an Order approving the attached Consent Decree, dismissing the claims asserted by Plaintiff against Defendant, Yakkala Properties, LLC, d/b/a Center with Gas Station, with prejudice, and retaining jurisdiction to enforce the Settlement.

Respectfully submitted this 14th day of December, 2021.

Respectfully submitted,

KURZ LAW GROUP, LLC
4355 Cobb Parkway, Suite J-285
Atlanta, GA 30339
dennis@kurzlawgroup.com
(404) 805-2494 Telephone

By: /s/ Dennis R. Kurz
Dennis R. Kurz
Texas State Bar No. 24068183
dennis@kurzlawgoup.com
ATTORNEYS FOR PLAINTIFF

LAW OFFICE OF ALI HAKEEM
21320 Provincial Boulevard, Suite 100
San Antonio, Texas 78260
ali@hakeemlaw.com
(210) 899-3631 Telephone

By: /s/ Ali Hakeem

Ali Hakeem

Texas State Bar No. 24605354

ali@hakeemlaw.com

**ATTORNEYS FOR DEFENDANT,
YAKKALA PROPERTIES, LLC, D/B/A
CENTER WITH GAS STATION**

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY, a true and correct copy of the above and foregoing has been filed electronically the Clerk of the Court using CM/ECF/system on this 14th day of December, 2021.

By: /s/ Dennis R. Kurz

KURZ LAW GROUP, LLC

4355 Cobb Parkway, Suite J-285

Atlanta, GA 30339

dennis@kurzlawgroup.com

EXHIBIT “1”